

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

JOHN JENKINS, as Personal
Representative of the Estate of ERMA
JENKINS, Deceased,

Plaintiff,

v.

FOREST LABORATORIES, INC., and
FOREST PHARMACEUTICALS, INC.,

Defendants.

CASE NO. 07 CV 6342

JUDGE CASTEL

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/15/07

STIPULATION

Plaintiff John Jenkins, as Personal Representative of the Estate of Erma Jenkins, filed this action on July 11, 2007. The Judicial Panel on Multidistrict Litigation has issued a Conditional Transfer Order for the transfer of this action to the multidistrict litigation, *In Re Celera and Lexapro Products Liability Litigation*, MDL 1736, currently pending in the United States District Court for the Eastern District of Missouri. In anticipation of the expected transfer of this action, the parties hereby agree and stipulate that Defendants Forest Laboratories, Inc., and Forest Pharmaceuticals, Inc., ("Defendants"), shall have until October 12, 2007, to file their Answers or otherwise plead to Plaintiff's Complaint. The parties further agree that case specific discovery shall be conducted in accordance with the MDL Case Management Order.

AUG-13-2007 03:45PM FROM-FINKELSTEIN & PARTNERS LLP

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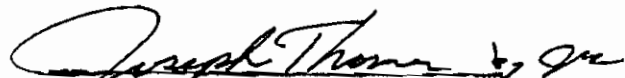
T-110 P.005/005 F-305

The parties further agree and stipulate that Defendants are not waiving any defenses by entering into this stipulation or by agreeing to answer or otherwise plead.

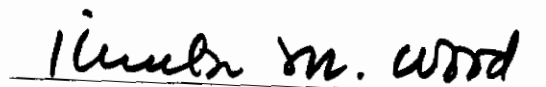
Dated: August 13TH, 2007


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SO ORDERED:


Hon. Kimba M. Wood, Chief Judge

August 14, 2007

Part I